

United States Department of Agriculture, OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1608.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF TURPENTINE.

On December 15, 1911, the United States Attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one barrel of turpentine, remaining unsold and in the original unbroken package and in the possession of F. B. Chamberlain Co., a corporation, St. Louis, Mo., alleging that the product had been shipped on or about November 16, 1911, by the Carolina Pine Products Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "St. Louis Transfer Co., St. Louis, Mo., St. Louis Co. For a/c Carolina Pine Products Co., Gross 407—Tare 60." "Carolina Pine Products Co., St. Louis Turpentine. S. L. Not for medicinal use. The Standard of Quality and Purity of the Turpentine contained in this package is guaranteed and sold in accordance with the following chemical analysis: Specific Gravity—0.862 or 32½° B. Distillation percentage under 300° F. None Distillation percentage under 363° F 80 to 90% Percentage Unpolymerizable—25 to 35% Flash Point—100° F. Warning This label must be defaced or destroyed before this package is again used. Any disregard of this warning will be prosecuted to the full extent of the law. Carolina Pine Products Co."

Adulteration was alleged in the libel for the reason that the product contained at least 10 per cent of mineral oil which had been substituted for turpentine, and the strength and purity of said product

thereby and by reason thereof fell below the professed standard or quality under which said product was sold; and it was further adulterated in that it was sold as pure spirits of turpentine for medicinal use, and was intended for such use by the purchaser thereof, whereas the product in its strength and purity fell below the professed standard and quality under which it was sold, to wit, pure spirits of turpentine for medicinal use, in that it contained at least 10 per cent of mineral oil, which had been substituted for turpentine.

Misbranding was alleged for the reason that the product was labeled "Turpentine", and was invoiced and sold as spirits of turpentine, which label and brand was false and misleading in that the product was not turpentine or spirits of turpentine, but, on the contrary, it contained at least 10 per cent of mineral oil, and consisted of a mixture of turpentine and mineral oil, and it was further misbranded in that, being a drug and being a mixture of turpentine and mineral oil, it was an imitation of and was offered for sale under the name of another article, to wit, spirits of turpentine.

On February 6, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was further ordered that the product should be destroyed by the United States marshal.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *June 18, 1912.*